

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

UNITED STATES SECURITIES AND  
EXCHANGE COMMISSION,

Plaintiff,

v.

ERIC JAEGER and  
JERRY A. SHANAHAN,

Defendants.

No. 01:07-00039-SM

**JOINT SUBMISSION RE: PRE-TRIAL AND TRIAL SCHEDULE**

Further to the Court's February 10, 2012 notice that trial of this action will not proceed on the previously scheduled March 20, 2012 trial date, Plaintiff Securities and Exchange Commission ("SEC") and Defendants Jaeger and Shanahan have conferred and propose a revised pre-trial schedule as follows:

**Pre-Trial Submissions**

1. **March 2, 2012**: The parties shall exchange objections to their respective proposed trial exhibits.
2. **March 12, 2012**: The parties shall exchange responses to objections made to proposed trial exhibits.
3. **March 23, 2012**: Pursuant Fed. R. Civ. P. 26(a)(3) and D.N.H. L. R. 16.2, the parties shall file their respective Pretrial Statements, Proposed Jury Instructions, Motions In Limine, Voir Dire Requests, and proposed Verdict Forms.

4. **April 13, 2012**: The parties shall file responses and objections to Proposed Jury Instructions, Motions In Limine, Voir Dire Requests, and proposed Verdict Forms.

**Schedule for Final Pre-Trial Conference and Trial**

The parties further propose that, following the Court's decision on pending motions for summary judgment submitted respectively by the SEC and Defendant Shanahan, the Court schedule a status conference for the purpose of setting a date for the Final Pretrial Conference and for Trial. Due to the schedules of counsel and the parties with respect to a series of other successive, previously-scheduled trials and business obligations, the parties further propose that the date to be set for trial be no earlier than (i) sixty (60) days after the Court's decision on the pending summary judgment motions, or (ii) October 1, 2012, whichever is later.

WHEREFORE, the parties respectfully request that the Court enter the foregoing schedule. Should the Court have questions about, or wish to discuss, the foregoing proposed schedule, counsel are prepared to appear before the Court at its convenience.<sup>1</sup>

---

<sup>1</sup> In the event the Court wishes to convene such a conference, counsel, all of whom are out-of-state, respectfully request that they be permitted to participate telephonically.

Respectfully submitted,

**ERIC JAEGER,**

By his attorneys,

/s/ Jonathan A. Shapiro

Jonathan A. Shapiro  
Elizabeth H. Skey (admitted *pro hac vice*)  
Wilmer Cutler Pickering Hale and Dorr LLP  
950 Page Mill Road  
Palo Alto, CA 94304  
(650) 858-6000

Jeffrey B. Rudman (admitted *pro hac vice*)  
James W. Prendergast (admitted *pro hac vice*)  
Peter A. Spaeth (admitted *pro hac vice*)  
James T. Lux (admitted *pro hac vice*)  
Wilmer Cutler Pickering Hale and Dorr LLP  
60 State Street  
Boston, Massachusetts 02109  
(617) 526-6000

**U.S. SECURITIES AND EXCHANGE  
COMMISSION**

/s/ Nancy J. Gegenheimer

Nancy J. Gegenheimer  
U.S. Securities and Exchange Commission  
1801 California Street, Suite 1500  
Denver, CO 80202  
(303) 844-1000  
gegenheimern@sec.gov

**JERRY A. SHANAHAN**

By his attorneys,

/s/ Andrew Good

Andrew Good  
Philip G. Cormier  
Good & Cormier  
83 Atlantic Avenue  
Boston, MA 02110  
agood@goodcormier.com  
pcormier@goodcormier.com

February 15, 2012

**CERTIFICATE OF SERVICE**

I, Elizabeth H. Skey, hereby certify that the foregoing Joint Submission Re: Pre-Trial and Trial Schedule, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on February 15, 2012.

/s/ Elizabeth H. Skey  
Elizabeth H. Skey

Dated: February 15, 2012